

RECEIVED

001/003

CENTRAL FAX CENTER

MAY 24 2005

Docket No.: 713-409

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : **EXPEDITED PROCEDURE**
Wayne Morgan JOHN *et al.* : **RESPONSE UNDER 37 CFR 1.116**
U.S. Patent Application No. 09/813,936 : Group Art Unit: 1772
Filed: March 22, 2001 : Confirmation No. 1825
For: WEATHER RESISTANT ANTI-SLIP PANELS : Examiner: A. Chevalier

NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

06/01/2005 BBONNER 00000002 09013936

01 FC:1401

500.00 OP

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner finally rejecting claims 35-38, 40, 48-59, and 61.

Appeal Fee: \$500.00

- ☒ Petition for Extension of Time attached.
☒ Credit Card Authorization Form attached.
☐ Charge to Deposit Account No. 07-1337.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

Benjamin J. Hauptman
Registration No. 29,310

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111 BJH/klb
(703) 518-5499 Facsimile
Date: May 24, 2005

CERTIFICATION OF FACSIMILE TRANSMISSION
I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED
TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

Kindra Bryant
TYPE OR PRINT NAME OF PERSON SIGNING CERTIFICATION
SIGNATURE DATE May 24, 2005
703-872-9306
FACSIMILE NUMBER